

# EXHIBIT K

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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FIFTH AND 106<sup>th</sup> ST. ASSOCIATES, L.P.,

Plaintiff,

-against-

MARK HAYNES,

Defendant.  
-----X

Index No:  
Date Filed:

**SUMMONS**

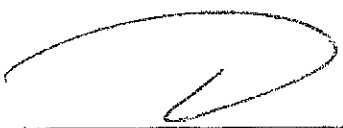
Plaintiff's Address:  
4 East 107<sup>th</sup> Street  
New York, New York 10029

The basis of venue is:  
Defendant's residence

To the above named Defendant(s):

**YOU ARE HEREBY SUMMONED** to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorneys within twenty (20) days after the service of this summons, exclusive of the date of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York) and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York  
February 3, 2022

  
Phillip L. Wartell  
ROSE & ROSE  
Attorneys for Plaintiff  
291 Broadway, 13<sup>th</sup> floor  
New York, New York 10007  
(212) 349-3366  
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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK-----X  
FIFTH AND 106<sup>th</sup> ST. ASSOCIATES, L.P.

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Plaintiff,

**VERIFIED COMPLAINT**

-against-

MARK HAYNES,

Defendant.  
-----X

PLAINTIFF, by its attorneys, ROSE & ROSE, complaining of the Defendant, hereby alleges as follows:

1. Plaintiff FIFTH AND 106<sup>th</sup> ST. ASSOCIATES, L.P. ("Plaintiff") is a limited liability company duly organized in and under the laws of the State of New York.
2. Plaintiff's principal place of business is located in the State of New York.
3. Plaintiff is the landlord of Apartment 15B a/k/a Unit 15B located at 4 East 107<sup>th</sup> Street, New York, New York 10029 in the City and County of New York (the "Premises").
4. Defendant MARK HAYNES ("Defendant") is a natural person who occupies the Premises as more fully set forth hereinbelow.

**AS AND FOR A FIRST CAUSE OF ACTION  
As Against the Defendant for Rent Due**

5. Defendant entered into possession of the Premises pursuant to a written lease agreement (the "Lease") whereby the Defendant was required to pay rent to the Plaintiff on or before the 1<sup>st</sup> day of each month.
6. Defendant has failed to pay rent and currently owes \$120,124.00 in rent arrears as follows: \$3,781.00 per month for each of August 2019 through and including February 2022 and a balance of \$2,913.00 for July 2019.

7. The Premises are not subject to the NYC Emergency Housing Rent Law or the Rent Stabilization Law of 1969 as Amended because said Premises are a Project-Based Section 8 apartment regulated by the United State Department of Housing and Urban Development.

8. Defendant has failed to pay rent within five days of the date on which rent became due pursuant to the parties rental agreement. Plaintiff notified Defendant by certified mail that it had not received such rent. Rent arrears had been demanded from the Defendant since same became due by fourteen day written-notice.

9. The building containing the Premises are a multiple dwelling and pursuant to the Housing Maintenance Code Article 41 there is a currently effective registration statement on file with the Office of Code Enforcement which designates the managing agent named below, a natural person over 21 years of age, to be in control of and responsible for the maintenance and operation of the dwelling: Agent- Metropolitan Realty Group-Melania Cinque, 1310 West Farms Road, Bronx, New York 10459, Multiple Dwelling Number 139802.

10. Plaintiff is accordingly entitled to judgment against Defendant in the amount of \$120,124.00 together with statutory interest from the date of default.

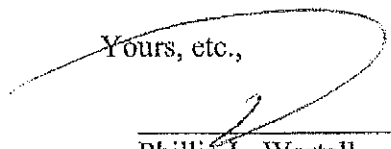
WHEREFORE, Plaintiff demands judgment as follows:

A. On its First Cause of Action, judgment against Defendant in the amount of \$120,124.00 together with statutory interest from the date of default;

B. Such other and further relief as may be just and proper.

Dated: New York, New York  
February 3, 2022

Yours, etc.,



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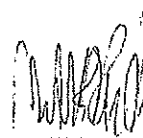
Phillip L. Wartell  
ROSE & ROSE  
Attorneys for Plaintiff  
291 Broadway, 13<sup>th</sup> Floor  
New York, New York 10007  
(212) 349-3366

## VERIFICATION

State of New York            )  
                                  ) ss.:  
County of New York         )

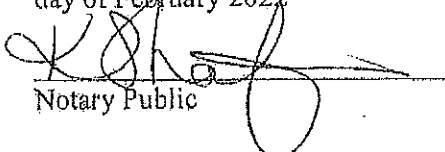
MITCHELL REITER, being duly sworn, deposes and says:

I am in-house general counsel to Metropolitan Realty Group, the registered managing agent of the Premises on behalf of the Plaintiff herein. I have read the foregoing complaint and, based on my personal knowledge and files and documents maintained by Plaintiff, I know the contents thereof to be true, except as to those allegations made upon information and belief, and as to those allegations, I believe them to be true.



MITCHELL REITER

Sworn to before me this 3<sup>rd</sup>  
day of February 2022



Notary Public

KRISTINA SHAFRANSKI  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01SH6423779  
Qualified in Nassau County  
Commission Expires October 18, 2025